

THE NAVY AND CONGRESS

By

COMMANDER ALVIN ROBINSON, U. S. NAVY

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- I N T R O D U C T I O N -

The Constitution charges the Congress to provide and maintain a Navy. Consequently, at least once each year, the Navy must sell itself to the Congress of the United States on an appropriation or money basis.

Further, the Constitution states that the Congress is authorized to make rules for the Government and regulation of the land and naval forces, so that during each two year life of a Congress , it is asked to grind its legislative mills in behalf of the naval establishment.

In this day and age of high pressure salesmanship, more than face value knowledge of the subject in hand is required. One must know one's customer and what procedure he has laid down for receiving petitioners.

The purpose of this paper is to acquaint those in the Navy unfamiliar with legislative procedure, the manner in which its customer, the Congress, treats with the Navy Department on matters pertaining to naval affairs.

P R O C E D U R E

A unique feature in our legislative system has been the extent to which Congress, in handling the major branches of the national activity, has virtually delegated to the permanent standing committees a great deal of its authority. Originally set up to sift out the facts and make recommendations, today Congress relies more and more upon their judgment, and except on highly controversial issues, votes pretty much as the committees advise.

Both the Senate and the House have delegated the looking into of Naval appropriations between the Committee on Armed Services and the Appropriation Committee, with the former to pass legislation that enables Congress to appropriate public funds, and the latter to pass the statutory measures that give the agencies the power to spend those funds. The Armed Services Committees, which investigates and passes legislation defining the purpose and authorizing of appropriations, has the advantage of planning programs in a very broad sense. These plans are implemented annually by the Appropriation Committees at a rate that is suitable to current policies and economic conditions. As one astute Congressman expressed it:

It is the responsibility of the legislative committees to recommend measures that will provide

us with a defense establishment made up of military and naval elements harmonious with each other and adequate to the assurance of our national security... It is the responsibility of the Appropriations Committees to recommend funds to effectuate such measures, and to see, as best it can, that the nation will get value received in the expenditure of the monies made available. 1

This responsibility has been, in turn, redelegated by the full committees to sub-committees, who may still further be split up into specialists in some particular branch undergoing hearings or investigations. Inasmuch as the full committees' review of their little groups' proceedings is sketchy, the sub-committees for all practical purposes is Congress, in the matter of approving legislation or budgets submitted by the Navy Department.

Consequently, the attitude of the few men composing such groups in general, and the view of the chairman in particular, has a vital bearing upon legislation concerning naval affairs. It has always been the practice of allowing a member, once appointed, and providing his party quota for the committee allowed, for him to remain on the committee as long as he was in Congress. The chairmanship is always bestowed upon the majority party's member with the longest uninterrupted service on the committee.

Thus the Navy Department does not deal with the final authority- the Congress itself- but must carry on negotiations with the committees charged with considering, investigating and recommending to the Congress the course they deem should be taken as a result of their studies.

For thirty-five years prior to 1921, a minimum of effort sufficed, and such effort was localized on but one contact point in each of the two houses, namely, the Committee on Naval Affairs. These committees then had jurisdiction over all legislation and all appropriations pertaining to the Navy.

Today, when the Navy desires new legislation or to have existing laws changed, it approaches the Committees on Armed Services. While legislation can be initiated and considered by the Senate, the practice is generally followed by having the House, through its committee, act first, both in respect to conducting hearings and reporting out recommendations. More often than not, the proposed legislation is acted upon by the House and appears in the Senate under a House title and bill number. This practice is not strictly adhered to, depending upon the nature of the proposed legislation and upon expediency. Quite often, the same legislation is offered in each house, and when passed by one House and received in the other, the similar bill not yet considered may be replaced by

the bill that has passed the other body.

As the recommendations and views of the Navy Department unquestionably have weight with the committees and influence them in determining their recommendations, profound consideration on the part of the department of proposed legislation or changes in existing law is imperative. Seldom is existing law repealed; often it is amended, not once but many times, and legislation once becoming law may remain in effect a long time, may establish radical precedents, and may, in final operation, not prove of that vitality or need to the national defense or to the Navy as was first anticipated or designed.

All bills seeking to appropriate moneys from the public fund must originate in the House of Representatives, and consequently, for each session of the Congress, the Navy Department must be prepared to deal with the Navy subcommittee on Appropriations of the House when consideration of the budget for the naval establishment is initiated. Of course, no money can be appropriated for any purpose until legislative authority exists, or is requested.

Upon completion of the hearings before the subcommittee, which are generally somewhat protracted, the bill

is marked up and prepared for perusal of the full committee. Ordinarily, direct contact of the Department with that part of the House available to them now ceases, although at times the full committee in considering the appropriation bills may desire to hear the Department on some item. Such a course awaits the pleasure of the committee or its individual members.

Prior to 1949, separate sub-committees held hearings on appropriations for the three arms of the Defense Department and there was little comparison between the estimates submitted for the Military, Naval and Air components. There was much criticism expressed at such an unbusiness-like approach to budgeting, even when there was only two estimates (Army and Navy) presented. Representative Engel, of the sub-committee for the Army said:

There are two arms of national defense, and two sub-committees on appropriations...we are handling the Army arm on one hand and another group is handling the Navy arm...and one hand does not know what the other hand is doing...and it never has during the ten years I have been on the committee. 2

In 1949 both houses set up one sub-committee to look into appropriations for all the Armed Services with the intent of unifying, co-ordinating and balancing the estimates.

The Senate Committees handling naval affairs considers itself as more of an appellate court, usually only

going into the general naval policy to be pursued during the year, the general plans for increasing naval efficiency and the general purpose for which appropriations are made. As expressed by Senator Thomas, the Chairman of the Senate Appropriation Committee:

It has been the policy of our committee to consider only items which are in controversy. When the House has included an item and no question has been raised about it, the Senate committee passes it over on the theory that it is satisfactory, and for that reason the hearings as a rule donot include testimony for or against items contained in House bill unless there is a protest... 3

However, while the Appropriations Committee of the Senate cannot act upon an appropriation bill until it has passed the House, considerable preliminary work and study has been in progress during the time the bills are before the House. Usually, the chairman of the sub-committee on the Navy, requests the Department to submit its views on the House bill and to make any recommendations in writing as to any changes desired and to outline the points upon which it desires to be heard.

The Senate Committee on appropriations has the attitude that any Budget that has been squeezed, reviewed and examined by the Defense Department, the Bureau of the

Budget, the Chief Executive, the House Committees and passed by the House needs very little more detailed study. They concentrate on any matters brought up by the Department who can indicate wherein they feel that any changes or cuts made by the House will be injurious to the planned program. This recourse is one to be handled with a great deal of tact and diplomacy in order not to antagonize the House and its committees. Where it can be recognized that reductions have been made for purely political reasons, or upon faulty statistics or incorrect assumptions at the House hearings due to a poor presentation, the Senate hearing is the logical place to make corrections. It has been the practice for the agencies to take their cuts at the hands of the House, but the Navy program managers value the opportunity for appeal that the Senate committee affords.

Actually, the Senate committee never has enough time to examine the appropriation bills as thoroughly as they would like to. Senator Gurney complained:

Personally, I should like to make a statement on the record, and it has been made every year that I have been in Congress. The other house should get through with this appropriation bill so that we could intelligently look at the additional requests that come to us from the Military establishments... this committee feels greatly handicapped in going into these requests for the reason that we have

been able to take up this bill only during the last week of this session. 4

And Chairman Bridges concurred as follows:

I do not suppose I hope to live long enough ✓
and be in the Senate long enough to see the condition change where we may get these bills from the House in time so that we can intelligently act on them...but it seems to be growing worse each year. 4

The temptation of persuading a member of the Senate Committee to introduce matters on their own initiative, which has not been included in the President's budget proposal (which restricts the witnesses' scope of testimony) has too often acted as a boomerang and obstacle in future years and should be avoided. The head of the Department has a legal and moral obligation to stand by the Chief Executive's budget and his recommendations therein.

Having been reported from the committees to their respective houses, bills are then beyond the pale of the Navy Department and its spokesmen so far as further hearings, recommendations or suggestions are concerned. The department has had its day when its witnesses appeared before the committees.

When a bill passes one body, and later passes the other but with disagreements, a conference committee is in order. This committee is usually made up of members of the

sub-committees concerned with the matter and they are charged to confer, reach an agreement and report back to the House and Senate. The agreement must be voted on by a majority of the members from each branch, not by a majority of the conference committee. The conference group is quite limited in its scope of action; it can only act on and recommend in regard to those matters in disagreement, it must confine itself to the differences committed to it and may not include subjects not within the disagreements even though germane to a difference in issue. It cannot change the text of a bill to which both houses have agreed, nor can it strike out in conference anything in a bill agreed to and passed by both houses.

Frequently the Navy Department will find itself called upon to advise and assist in clearing up the conflicting views and opinions existing between the conferees, which service is rendered quite properly in a somewhat missionary manner, but conference by the rules and order must be held in executive session.

- COMMITTEE HEARINGS -

"The Executive...holds the sword of the community. The legislature...commands the purse. Alexander Hamilton.

The key to congressional consideration of legislative and appropriation bills are the House sub-committees, and there is no committee which works more diligently or which feels a greater responsibility for what it does, than the sub-committee on Armed Forces appropriations. The hearings by this committee are the most important continual check which Congress has over the administration, and they cover in great detail the activities of the Navy Department.

Among the objectives of the sub-committee at their hearings, besides the study of the effect upon the economy of the nation insofar as the amount of monies requested, are to assure that there was and is compliance with the legislative intent of Congress as expressed in the law; to check against inefficiency, waste and outright dishonesty; and to investigate any charges or evidence of unsympathetic attitudes of administrators of the fund which have caused inequities or bias or a callous thinking resulting in hardships; or in other words, a review and audit of management. The value of the sub-committee and its staff is a certain sense of objectiveness and detachment not likely to be found in the proponents of a bill, together with more or less experience

and knowledge of the subject matter they are directed to specialize in.

In considering proposed legislation and budget estimates Congress, through its committees, has what amounts to an item veto over Presidential and department proposals, and in some instances this revisionary power is used very extensively. It can criticize, or change, or warp, or improve or accept the proposals of the Navy Department, which has already been reviewed by the Defense Department, the Bureau of the Budget and has the approval of the Chief Executive.

With the budget estimates before them, the Navy sub-committee of the House Appropriation Committee initiate hearings and proceed to the consideration of the details of each item of an appropriation, together with the ramifications of legislative provisions under which the Navy Department functions. In dealing with the annual Navy appropriation bill, the sub-committee calls for considerable information about the naval establishment aside from the money end.

The tendency of the members of the sub-committee is to go very far afield in their examination of the particular issue before them. In order to insure that every member,

including the minority have a chance to show their interest and perseverance, the practice is to go around the table and every Congressman has an opportunity to make queries about a broad portion of the bill. The result is duplicity and a very superficial examination, leaving controversial points unexplored --- as before one question is fully answered the witness is shunted off to another. Congressmen, especially those who have had legal training and trial experience, admit that the impromptu cross-examination at hearings is not the best manner of getting at the facts. Neither fully trusting the professional witness, nor having the knowledge to successfully challenge him, frustration develops the habit of meandering off the main subject.

In view of the changing technology of conducting naval warfare, military service in early life, whether or not followed by participation in the reserve components, does not condition a member of Congress of incisive and imaginative criticism of the naval witness. But Congressmen do not have to be professional naval or military men in order to pry into and evaluate the estimates and proposals of the department. Very few Navy career officers have entered politics. In fact, there are only two in recent years. In 1947, a retired Captain Bradley served one year, from California, and was assigned to the Maritime Committee; and

General Devereaux, Marine Corps (retired), who is now serving on the Armed Forces Committee, representing Maryland. While naval experience would seem to be a pre-requisite for a better understanding of the Navy's problems, other professional backgrounds have been very useful and penetrating for work on the sub-committee. It has been said that there is an "appropriation-type" of Congressman, one who is hard working, hard-bitten, with a penchant for long hours and a sense of power; but the majority of members have had legal, business or legislative experience and this makes for a more objective and businesslike approach, especially when on the subjects of procurement, personnel and construction. Repetitive assignments to the same committees have educated and sharpened the inquisitiveness of the members.

Each Bureau of the Navy Department (program administrators) is afforded the opportunity to present its own reasons both for legislation and appropriations before the respective committees. Its representative must of necessity be familiar with each detail, and possessed of intimate knowledge of the matter under consideration. They must be well-grounded and posted on their particular phase of the bill and should be well able to present their cases properly.

It is here that "sales talk" is imperative and it is effective only to the degree that the personality, knowledge and ability of the witness is effective. Each item must be justified, not alone from a naval standpoint, but also from the aspect of economy, efficiency and necessity. Hard is the road and distressingly uneasy the committee appearance of those who know their stuff to the nth degree, but who, unfortunately, are unable to convey their knowledge to others in "ABC" language, and convincingly to the lay mind. It is the departmental witness of not too technical language, broad viewpoint, agreeable personality under all and any circumstances, and above all, of known reliability who finds himself and his program possessed of the desired legislation and of sufficient appropriation at the end of the session.

Often the committee seems insatiable in their demands for extensive information, detailed figures, opinions and recommendations concerning the matters before them. Demands are often duplicated and occasioned by some cause not perhaps entirely known or clear to those in the witness chair. However, the instant, accurate and satisfactory response to these demands, either from the chair or a promise to add to the record, may and has averted possible chagrin

to the Navy and has prevented molehills becoming mountains with the consequent airing of the matter on the floors of Congress.

The questions raised by the members have many and varied sources with past experience, before entering Congress, as the most fertile field. The ex-schoolteacher wants to know about education and training among the enlisted men; the ex-machinist is interested and critical about ship construction; the member who marketed petroleum products wants an explanation of fuel oil prices and uses; the ex-enlisted man who served a hitch in the fleet makes searching investigations into the "Caste System" and officer's clubs and privileges; and ad infinitum. All kinds of rumors are used as clues for continuing the search for possible mal-administration, with the comments of newspaper columnists and radio and television commentators the most prolific origin. Letters from the families back home and the committee's own investigators and members' trips to naval installations the world over have uncovered items that can be criticized, and which are expanded as service-wide faults for overhauling before the committee.

The naval administrator, appearing as a witness

before the committee hearing, must develop a skin as thick as a dozen rhinoceroses against the cold and penetrating blasts of criticism, unjustifiable though the majority of it may be. Congress has some of the most expert needlers and dead-cat hurlers in existence. The witness must get used to the rough and tumble of politics, keep a sense of humour and learn to roll with the blows if he desires a chance to succeed in selling his program.

Past experience indicates that the committees have made their most searching investigations in any program that calls for an increase in funds over the current fiscal year. Well established programs that call for comparable sums are not neglected, but are usually accepted on the basis that they have been justified in previous years. But a witness should not be lulled into a sketchy justification. As one committee member expressed it:

Don't get the impression that we want these perpetual programs to go along like Tennyson's brook forever. I have usually found that over a period of years you can always get a little more fat out of a piece of pork when you fry it a little longer and a little harder. 5

Also, the witness should beware of pointing up projects and functions that are now considered unnecessary and perhaps uneconomical and thus have been eliminated. They can create

quite an uproar when the administrator appears before the committee for his pat on the back. He should be prepared for organized protests of cutting out activities and expenditures of particular benefit to a member of the committee, or a fellow congressional member. It should be borne in mind that those who yell loudest in public for general economy in government mean, instead, economy for the other fellow.

It is acknowledged that from a practical viewpoint the real political powers belong to the executive branch of the government which makes the day-to-day decisions, outside of and to a great extent, independent of Congress. This exclusion from positions of power makes Congress, as reflected in their committees, a rather frustrated and somewhat fretful body. It is not organized to consider major questions of policy which are being decided continually, and not being so organized, it often turns its attentions toward local interests.

It is no hidden concept or a secret that Congressional behaviour is influenced by localisms and territorialism. The thought of the coming elections haunts every member of Congress, especially the Representatives who have to present a statement and balance every two years to their homefolk.

While he appreciates that his national party, in a minor way, will support him in his campaign, in order to survive he must listen attentively to the local and particular interests in his region and to the pressure groups which he believes are strong enough to aid in re-electing him. This thinking is not conducive to compell a Congressman to acquire a national point of view. In time of crisis, as during the wars and our current defense build-up, he will pass much legislation and quickly, but in normal times he is extremely reluctant and averse to acting on any executive proposal that might affect "my people back home". While it would be ideal if members of a sub-committee were assigned to hearings on matters in which there were no conditions in their respective districts that would tend to give them an especially vital interest, the far flung activities of the Naval establishment, particularly procurement and construction, make it virtually impossible.

While most committee members are desirous of protecting their country by adequately providing for the national defense, they have been less interested in how much, or for what, the funds are to be spent than they have been in the locations where the expenditures are to be made. This goes

not only into the establishment of bases, supply centers, warehouse and stockpiles, but very intensively as to where procurement and construction monies are to be dispensed. The "Buy American" directive is interpreted as not only the domestic market but the dispersal of procurement activities among the individual member's constituents. As one member expressed himself to a House subcommittee:

I come here as a beggar looking for some crumbs. ✓
I would just like you to give me some money to start some construction work...We are not asking for any certain amount but we would like to have some money. 6

Or as a Representative from West Virginia complained:

So far as national defense activities are concerned, West Virginia seems to be out of the Union, and I have been making every effort to bring it back into the Union...to see if there is something that West Virginia can contribute toward the national defense. Our people feel very outraged at such treatment...I am wondering if it would be possible to find something where West Virginia can contribute...we feel we are being neglected...every time an engineer goes down there he comes back with an adverse report and says there is no place at which they can locate anything. If we had remained in Virginia, I think we would have had ample opportunities...I am making every effort to see that West Virginia is recognized as one of the States of the Union. 7 ✓

Of course, members are not trying to get political fat for their constituents -- they are trying to equitably spread the

6 ConRec '39 House Hearings 717

7 ConRec '42 House Hearings 160

load and protect the national economy and economic status of their people.

This same attitude is apparent in every stage of the procedure of a bill through Congress. The emphasis is, for the most part, on the small amounts rather than on the total. The following excerpt from a debate on the floor of the House is illustrative:

Mr. Leary: I desire to say to the gentleman that I had no idea of making an odious comparison in any way between Philadelphia and any other Navy yard. The one at Bremerton has received consideration perhaps in proportion to Philadelphia.

Mr. Ditter: May I say in answer to the gentleman right at that point, that certainly Bremerton could not have been shortchanged or poorly provided for as long as the persuasive abilities of my distinguished friends from Washington are present here in Congress. They got more than their share of the good things in this bill....

Mrs. Rogers: What is provided for the Boston Navy Yard with its very fine workers and very fine yard?

Mr. Ditter: I can answer the gentlewoman from Massachusetts by saying that as a result of her continued interest and suggestions to members of the minority on the committee, and as a result of the very able work of the distinguished member of the subcommittee from Massachusetts, my genial friend, Mr. Casey, I think that New England has gotten her share too. 8

The hearings before the sub-committee are to enable the members not only to decide what to do with the Navy's estimate of monies needed, but also to give the individual Congressman enough information to answer any searching questions from the floor of the House or Senate, and to justify the decisions they have made. As pointed out before, they may, and very often do, ask for additional voluminous data, despite the carefully accumulated material in the justifications that accompany and support the legislation or budget. These additional demands should be met promptly and cheerfully even if the meat of the legislation or the budget estimate is not concerned, for it may be a request for information to build up a case for some particular project that an individual congressman is interested in. The hearings also serve as a sounding board and an inquiry into questions raised by the "folks back home" who question their representatives on the many rumours of waste, inefficiency, corruption and supposedly preferential treatment accorded to "everybody else in the Navy but our son". Reprints from the Congressional Record, distributed back home, is one of the most potent fence-building medium.

Guideposts for appearances before a committee are

found in the printed reports of the sub-committees which are voluminous and seldom altered by the full committee. Normally, in fact, the reports, which are usually the brain child of the Chairman of the sub-committee, are printed prior to review of the bill by the full committee. The many suggestions, various warnings, recommendations, rebukes and interrogatories indicating doubt in the minds of the questioner contained in the record, while not considered mandates by the department, should be carefully analyzed. Disregard of them may prove to be very disadvantageous at future hearings. Many a pseudo-legislative provision is reached at the hearings by a gentlemen's agreement to correct administratively, situations unsatisfactory to some Member.

The printed record of the hearings are important not only to enable the witness to insert statistics and data that was not available at the hearings, but they also give absent members a chance to catch up with the rest of the subcommittee and can be used as a source of information when justification is needed by the sponsors of the bill on the floor of Congress. In presenting statistical data as well as testifying before the committee and later supplying and inserting the data asked for during the course of the hearings, the witness need have no hesitancy so far as concerns

the final and permanent record of their testimony. Very often, departmental officials are requested to assist the clerk assigned to the drafting of the report, and witnesses are permitted to review their testimony prior to actual printing. In editing, the witness must be very careful to avoid changing the wording of questions or the facts as presented. Some latitude is permitted and slight revisions may be made in order not to embarrass individual congressmen or foreign and internal relationships, but the review is usually to clarify the statements and to add information. As the Chairman of the Senate Appropriations Committee expressed himself rather forcefully:

Gentlemen, for the second time we have had an unfortunate experience with the record of proceedings. It is our custom, as you gentlemen know, to have the stenographic records submitted to witnesses, where convenient, so that they may make corrections. The purpose of the record is that we may have printed for our use and the use of members not present a correct transcript of what took place before the committee. Their testimony is submitted to the witnesses in order that they may correct it to show what took place before the committee, not for the purposes of editing or revision. Unfortunately, the record of our previous meeting has been so extensively edited and revised, I had to send word to print it as it came from the stenographer. 9

Confidential or security material may be struck out, but the witness should be careful that he does not take advantage of this grace. As one minority member of a House Appropriation

Committee told the Secretary of the Navy:

We are going to ask, at least some of us, that the resort which has been had in times past by some witnesses to a privilege of deleting the record at their own discretion, on the grounds of security, will have our supervisory action. 10

The witness must always bear in mind that the actual hearings are informal, often rapid with several congressmen talking at the same time, and the stenographers, as efficient as they are, cannot get all the remarks. The record must be carefully scanned to insure that all facts and details are correctly included and important statements properly presented. It is the printed report which is usually the basis for the committees' recommendations and the evaluation of the bill on the floor. Intimate knowledge of a Naval appropriation bill is limited even to the members of the sub-committee. They just haven't the time to carefully cross-examine all the varied facets of the immense budgets presented to them. As Representative Mahon expressed it:

We might as well be frank...no human being, regardless of his position and regardless of his capacity could possibly be completely familiar with all the items of appropriation contained in an armed forces bill...this committee held hearings for weeks in the preparation of this bill..we would like to do more but it just can't be done. 11

- 10 78thCong. 1st sess. House Hearings pp3142
- 11 81stCong. 1st sess. House Hearings pp6691

The record of hearings must give the facts, statistics and authoritative opinions concerning the matters on which the members of Congress can enlighten themselves in their considerations.

- THE NEED FOR UNDERSTANDING -

There is a great need for establishing the proper working relationship between the executive and legislative branches of our government, for the latter will control through its power of the purse what decisions of policy can be established and carried out. The head of an executive department cannot be merely content to let Congress make the laws and for him to administer them. The framers of our Constitution wanted the two branches to share power so that each could keep an eye on the other, for the administrator to advise Congress on policy so that they could exercise their basis law-making function, based on legislation and budgets drafted by the executive agencies. Hard experience has proved that Congress cannot, by itself, act consistently and effectively for the national interest. Without executive leadership and counsel, power has too often fallen into the hands of factions bickering over the division of regional and interest-group spoils, due to the fact that Congress has always represented the small group, the minority group, while the executive branch represented the nation-wide group, as agents of the Chief Executive who is the elected representative of all the people.

Congress is very jealous of any administrator that attempts to usurp the prerogatives of their body, and their

treatment of witnesses before the hearings of sub-committees exemplifies their mistrust of executive encroachment. The distrust, unfortunately, has been mutual and results in the congressional members of the committee asking inconsequential questions, and the witness telling the committeemen things which they neither need nor wish to hear. There is the thinking on the part of the Congressman that his presence at the hearing is a part time job while the witness is one who has been working on the matter at issue every day of the year. The member is convinced that his knowledge of the subject is incommensurate with the witness, and that, however much he wishes to guard the people's money, the odds are with the smooth bureaucrat who can gloss over the shortcomings and point up the favorable features. As expressed by a member of the Appropriations Committee:

Congressmen are groping pretty much in the dark on how much money we should or should not appropriate for the various activities of the government. We are entirely dependent upon the honesty and competence of the department and bureau heads who appear before us showing justifications for these expenditures...I feel that Congress should give immediate study to the possibility of employing disinterested experts - men who know the costs and who know something about efficiency and coordination of business so that their knowledge may be applied to expenditures in the government establishments. There is something a little farcical at times the way we are constrained to get information

out of the government departments. They can set down a beautiful balance sheet, but it does not indicate to the people's representatives precisely what is going on in the government. 12

On the other hand, the solicitor for the department is unsure of his knowledge of public problems. He knows his particular job, he wants recognition for past accomplishments and good management, and he wants approval for other ideas he is planning of which, he is sincerely convinced, is for the good of the country. He is plagued with his lack of adeptness in speaking and feels that if he was only quicker on his feet and a little more articulate, he could be more convincing to the more or less unsympathetic group of Congressmen, all of whom he is convinced have a knowledge of his subject inferior to his own. He is certain that the odds are stacked against him, as the men facing him across the table are in familiar surroundings, with sympathetic colleagues, who are practiced in the art of public speaking and who have a known propensity to ask embarrassing questions while ignoring achievements.

It is the responsibility and task of the Navy Department witness--as well as all other executive solicitors--to overcome this misunderstanding of the motives and objectives of the management of the funds appropriated by the

Congress. An understanding of the men he is selling is one approach.

Despite the columnists and cartoonists, it must be recognized that Congressmen are very busy people, who tear themselves away from their office desks which is crowded with work to attend hearings, which naturally severely increases their working load. They get to work early so that the day's correspondence and office plans can be outlined and started before visitors arrive or a committee or Congress convenes. They stay late after Congress adjourns to sign letters and clean up details. The plain fact is that it is rare when a Congressman can visit or lunch with friends, take his wife out for an evening, dictate and sign letters leisurely or study legislation as he should. It is doubtful if a Congressman has enough time to be a statesman, with the little time he has to sufficiently analyze the important legislation that is presented. Most of his knowledge on a bill is gathered from the testimony they either hear or read from the printed record of hearings and they are very well aware that, consciously or unconsciously, such testimony is biased by personal interest. They are therefore, inclined to accept committee recommendations and largely limit their time

to their own appointed work. But, they all feel that they have some special background or some particular viewpoint that needs to be presented, or they wouldn't be in Washington as an elected representative of the people.

. The Navy administrator must always bear uppermost in his mind that government is essentially politics and that politicians are human beings with a need for saving face that is as vital as to any Oriental. He must continue to woo members of Congress as long as he is representing the department, and whenever friction arises the more intense must the wooing become if sound policies are to prevail. It is only natural that Congressmen are influenced by special interests and that they take on the color of the communities or sections from which they come---that's why they are in Congress. The communities elect men who are representative of the district, the kind of men the district likes and trusts (big city machine politics excepted) and who believe in the things that the people of the district believe in. It is obvious that there will be different thinking going on inside the mind of the man who comes from an industrial district and the man who comes from the rural district. One of the objects of the framers of our parliamentary system was to bring together men who were familiar with the various interests of the widely

separated population and who, discussing public questions together, weighing one interest against the other, knew how to compose them all and produce laws under which all these contrary and often hostile interests can live in some kind of order. Of course there are some members of Congress who carry their self-centered points to unreasonable lengths, but they are human beings, and one should not condemn the whole system because it conforms to and corresponds with a natural necessity in society itself. Congressmen have to be elected by their people and frequently poor legislators are selected, but the members must go back every two or six years to their constituents, and if a member is elected for term after term over a period of years, it is a fair chance that from the point of view of his district he is a good Congressman.

Predominantly, a Congressman to be elected, must have an understanding of human beings, must know how to get along with all sorts of people, while differing with them, and must have some sense of proportion about the relative value of problems. With a recognition of the above, and a realization that the executive branch of the government does need checking in order that it will not become rampant, the departmental salesman must cultivate the kind of personal

relationships that are conducive[✓] to understanding and reasonable compromises. The ability to get along on a friendly give-and-take basis is a prime requisite to success for any pleader or administrator in government. He must realize that the executive and legislative branches are co-equal, and though having different constitutional functions and often at odds, they must and do find ways, through compromise and accommodation and personal relationships, to work together.

The department cannot neglect the niceties of relations with the Congress. While the members of the committees expect that subordinates will testify on their respective specialties, it is incumbent upon top flight management to start the ball rolling. The Navy Department has fortunately been meticulous in this observance and has escaped the rebuke given the Interior Department, on their appropriation bill, when a member stated:

It is a matter of record that the Commander-in-[✓]Chief of the United States Fleet and the Chief of Naval Operations are glad to come up and give half a day of their time to us. They are never too busy to pay their respects. It would not be strange if an official could not appear one year..but when he does not appear for many years, it is difficult to comprehend. 13

As the senior member of a Navy court or board has great influence, though but one vote, so it is with the

Chairman of the committees or sub-committees. In fact, they have become more powerful in their separate fields than the majority of either house, and come very near to exercising a separate veto which the majority usually cannot override. The Chairman has decided influence and power, particularly when the ranking members of his committee are in accord with his policies and ideas. Thus it is but natural that the Navy should center its informative efforts on the chairman of the sub-committees and full committees they appear before. The department should stand ready at all times to furnish him with detailed information, data, and figures on anything pertaining to the Navy, not alone on matters initiated and sponsored by the department, but on any naval issues arising during the session. As the chairman is the logical focal point for departmental negotiations with Congress, so does he bear a similar relationship and place in the House and Senate. It is to him that his colleagues look for accurate and detailed knowledge concerning the matters they have referred to his committee. The amount of missionary work done by the chairman is tremendous, vital, proper and necessary. As a scene shifter contributes to a play, so does this missionary work contribute to the successful consideration and passage of legislation and appropriations, and to the welfare

of the Navy. It is incumbent upon the department to keep the chairman well informed and posted on latest developments, not alone of our Navy, but of the naval situation at large.

If Naval programs and projects are soundly achieved, and the justifications in support of legislation and estimated budget funds are presented to the committees in a concise and logical manner, the Navy should obtain co-operation from Congress. There is no doubt that voluminous presentations to a busy committee will impair the estimate, but on the other hand, an incomplete presentation will leave doubts in the minds of the members of the committee and may result in unjustifiable reductions or changes. The happy medium must be struck, with the emphasis placed on the necessity for attaining the Navy's goal-- the achievement of a constant state of readiness adequate to repel or prevent any possible armed aggression which would operate to the detriment of this nation's welfare.

The pleader (the Navy) and the jury (the Committee) are very dependent on each other, inasmuch as the former has the authority of knowledge while the latter is clothed with the authority of statute. Their sincere and understanding cooperation is a prerequisite for efficient and economical

management. The Navy Department must bend every effort to eradicate the opinion that still exists in the minds of some members of Congress, that was expressed so succinctly some time ago:

I said in substance that we treat every executive officer as if he were a suspicious character, and he treats us as if we were a lot of numbskulls who knew nothing about the needs of the service. 14 ✓

It may be best accomplished by taking the advice of Representative Mahon, of the House Appropriations Committee, who said:

The military must understand that we recognize that we are not kidding ourselves. We knew we cannot go into every dollar of expenditure. We can do our best, but we have to trust you gentlemen to wisely spend, under the policies which we approve, the funds which we appropriate. 15 ✓

14 49thCong pp4354

15 ConRec 1950 House Hearings pp95

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